REMARKS/ARGUMENTS

The foregoing amendments and the remarks that follow are intended to impart precision to the claims, and more particularly point out the invention, rather than to avoid prior art.

Claims 1-27 are pending in the application. Claims 1-27 were rejected. Claims 1, 8, and 15 were amended. No new matter has been added.

Applicant would like to thank Examiner Philip Tran's courtesy in conducting a phone interview on June 23, 2010. During the phone interview, the Examiner and the Applicant discussed the §103 rejections in the Final Office Action and Applicant's U.S. Pat. No. 7,603,437.

The Examiner suggested that he would allow this application if claims 2 or 5 were combined with independent claim 1 *and* a terminal disclaimer is filed in connection with Applicant's U.S. Pat. No. 7,603,437. Applicant appreciates Examiner's acknowledgment of allowable subject matter and requests that it be held in abeyance upon review of the remarks made herein.

CLAIM REJECTIONS - 35 USC § 103

The Examiner rejected claims 1, 8, 15 and 23-27 under 35 USC §103(a) as being unpatentable over Morris, U.S. Pat. No. 7,451,185 (hereinafter "*Morris* reference") in view of Johns et al., U.S. Patent Application Pub. No. 2005/0097173 (hereinafter "*Johns* reference"). The Examiner also rejected claims 2-7, 9-14 and 16-22 under 35 USC §103(a) as being unpatentable over the *Morris* reference in view of the *Johns* reference and further in view of Brewster et al., U.S. Patent Application Pub. No. 2002/0147847 (hereinafter "*Brewster* reference").

Applicant respectfully traverses.

The first limitation of the previously presented claim 1 reads as follows: "*receiving code instructions from a user terminal to store an excerpt of information from at least one second storage medium maintained with at least one second remote server different from the first remote server.*" The Examiner construed "from at least one second storage medium

maintained with at least one second remote server different from the first remote server" as an intended use with no patentable weight.

To remove such intended use language and add weight to the second storage medium of the second storage device, independent claim 1 was amended to recite a "method for sharing information through a first remote server having a first storage medium, the method comprising:

> receiving an excerpt of information from at least one second storage medium maintained with at least one second remote server different from the first remote server; and

> in response to code instructions received from a user terminal, storing the excerpt, in an XML format, in a folder on the first storage medium maintained at the first remote server, wherein the folder is selected from a group consisting of a group folder and a public folder, the group folder is accessible by one or more second users specified by the first user as a group, the public folder is accessible to all users subscribed to the public folder.

As can be appreciated, the claim recites a user terminal and at least two remote servers. The first remote server allows the user, via the user terminal, to access and create public and group folders (see Para. [0058]). The at least one second remote server, for example, web hosting server, contains the information of one or more websites, accessible through the global Internet, and which the user may choose to share with others. (Para. [0029]).

The *Morris* reference explains that "User A 100a, uploads a resource, e.g., an album 112 including a group of digital images, to the server 104, and the server 104 places the album 112 in storage, e.g. a database 110." (col. 3, lines 56-59). The *Morris* reference also explains that "[w]hen User A 100a wishes to share the album 112 with a second user, e.g. User B 100b, the server 104 provides a link, such as a URL, associated with the album 112 to User A 100a. User A 100a can then invite User B 100b to view the album 112 by providing a link to User B 100b." (col. 3, lines 59-64). Hence, User A uploads images to server 104 and forwards a URL link, associated with the album 112 on the server 104, to User B.

While *Morris* discloses "receiving digital images uploaded by a first user," as the Examiner contends, *Morris* fails to disclose, teach or suggest that the images are received from a second server that is remote to a first server and the user terminal. Furthermore, the

Examiner's suggestion that *Morris* discloses "sharing website by providing a link to a resource such as URL" has no bearing on the patentability of claim 1. *Morris* specifically discloses that User A uploads images to server 104 and forwards a URL link, associated with the album 112 on the server 104, to User B (col. 3, lines 59-64). Nowhere does *Morris* disclose, teach or suggest "in response to code instructions received from a user terminal, storing the excerpt ... on the first storage medium maintained at the first remote server." The URL link disclosed in *Morris*, links to albums 112 on the same server 104, rather than to a second server.

Hence, the *Morris* reference fails to satisfy all the claim limitations of independent claim 1.

We have already demonstrated the inadequacies of teaching the present invention in the *Morris* reference and under 35 U.S.C. § 103, it would be incumbent upon the teaching of the *Johns* and *Brewster* references to provide a teaching reference for supplementing the deficiencies of the *Morris* reference.

The *Johns* reference is directed to a method and system for organizing and sharing digital images over a communication network (abstract). "Users are provided the ability to create a higher-level organization (called a 'folder'). ... This invention allows the owner of a folder to associate a 'notification list' with the folder (a set of e-mail addresses and/or phone #s)" (*Johns* reference, para. [0005]) "When the user chooses to upload photos ... the server will automatically queue a notification for everyone on the notification list for the folder." Id. (emphasis added). A user (user 2) shares his/her images from the user 2's image database (see *Johns* reference, FIG. 2, step 34).

Like the *Morris* reference, the *Johns* reference fails to disclose, teach or suggest that the resources are stored in at least one second storage medium maintained with at least one second remote server different from the first remote server. See Claim 1 (emphasis added). In contrast, the *Johns* reference teaches that the content, which a user seeks to share, is initially on the user's database and not on a remote server. The user must upload the photos to the service provider server 18 to share with others on the notification list. As such, the user terminal does not transmit code instructions to store the photos/information from a remote server; rather, it transmits the photos/information directly to the service provider server 18. Hence, the *Johns* reference fails to supplement the deficiencies of the *Morris* reference.

Brewster is directed to a method for converting data in documents submitted over a network into XML documents (Abstract). The *Brewster* reference was simply cited by the Examiner for the teaching of providing viewable formats for different users of different type of devices (Office Action, pg. 5). The *Brewster* reference also fails to supplement the deficiencies of the *Morris* and *Johns* references. The *Brewster* reference fails to disclose, teach or suggest receiving code instructions from a user terminal to store an excerpt of information from one or more second storage mediums maintained at one or more second remote server.

Hence, independent claim 1 is patentably distinct from the prior art references. Applicant respectfully request that the rejection under 35 U.S.C. § 103 be withdrawn.

Claims 2-27

Claims 2-7, 22-23, and 26-27 are dependent from claim 1. Thus, these claims are patentable for the same reasons advanced with respect to independent claim 1. Independent claims 8, 15, and 24 and their dependent claims are also patentably distinct from the prior art references for the same reasons advanced with respect to independent claim 1.

For example, independent claim 24 recites a "method performed by at least one information handling system, the method comprising:

> at a computing device, <u>receiving an excerpt of information about one or more websites from at least one first storage medium maintained with at least one first remote server different from the computing device;</u>
>
> ...
>
> <u>in response to code instructions received from a user terminal, storing, on a second storage medium maintained at the computing device, the excerpt in the folder selected by the first user.</u>

Like claim 1, claim 24 recites a computing device, a user terminal and at least two storage mediums. None of the prior art references of record disclose, teach or suggest storing excerpt of information <u>from a remote server rather than from the user terminal.</u> Applicant respectfully request that the rejection under 35 U.S.C. § 103 be withdrawn.

Terminal Disclaimer

A terminal disclaimer has been filed together with this response to obviate a double patenting rejection based on Applicant's U.S. Pat. No. 7,603,437 (Appl. No. 10/578,416). The

10

filing of this terminal disclaimer thereby renders the Examiner's suggested double patenting rejection of claims 1-27 moot.

CONCLUSION

Applicants respectfully submit that all the claims remaining in the application are now in condition for allowance, and respectfully request that the application be passed to issue. Such relief, or in the alternative an Ex Parte Quayle Action, is respectfully requested, and such relief is hereby earnestly solicited.

Should any residual matters left to be resolved, the Examiner is invited to contact the undersigned agent at 949.732.6682 (office) at his convenience. The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, now or in the future, or credit any overpayment to Account No. 50-2638. Please ensure that Attorney Docket Number **104128-213401** is referred to when charging any payments or credits for this case.

Date: _July 14, 2010_

Respectfully submitted,

Ehab M. Samuel
Reg. No. 57,905

Customer Number 64494
GREENBERG TRAURIG, LLP
1900 University Avenue, Fifth Floor
East Palo Alto, CA 94303
(949) 732-6682 Telephone
(310) 586-7800 Facsimile
email: laipmail@gtlaw.com